

State	When passed	Who can file	Evidence required	Length of Order and Standard of Proof	Sell or Transfer firearms?	Surrender	Procedural safeguards	Process for enforcement	Return of Firearms
California	2016	LE, Family or HH member	Must consider: threats or acts of violence to self or others in past 6 months; violation of a DV PO in effect or within the past 6 months; any conviction for any crime that prohibits purchase and possession of firearms; a pattern of violence acts or threats within the past 12 months. May consider other evidence (prior arrests, reckless use of a firearm or brandishing, history of violating DV POs, recent acquisition of firearms, etc.)	Temporary: 21 days and reasonable cause Yearlong: clear and convincing	Respondent can sell or transfer directly to a licensed firearm dealer; must issue a receipt and filed with the court within 48 hours of being served the order	Statute silent as to searching for the firearms; order states respondent has 24 hours from service of order to relinquish guns and ammo to LE (or sell/transfer to licensed dealer).	Crime to knowingly file a false or intentionally harassing petition	Requires surrender to specific LE immediately upon service of the PO or to LE within 24 hours or may sell/transfer to a licensed firearms dealer with receipt and file receipts within 48 hours;	33850 requires an application to CA DOJ to have firearms returned 33865 requires a background check

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Connecticut	1999	2 LE officers or 1 state's attorney	Person poses a risk of imminent injury to self or others; person possesses one or more firearms; firearm is within or upon any place, thing or person	Temporary: 14 days and Probable cause Yearlong: clear and convincing evidence required	29-38c(e) Anytime while a person's firearms are seized, that person may transfer/sell such firearms to any person eligible to possess such firearms by giving written notice to the head of the state agency holding such seized firearms. The agency must deliver such firearms within ten days to the designated transferee	The warrant permits LE to search within a reasonable time the person, place or thing named for any and all firearms and ammunition			Eligible to be retrieved by respondent upon expiration of the order if LE confirms person not otherwise disqualified from possessing a firearm or ammunition

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Delaware	2018	LE, Family or HH member	Poses a significant danger of causing personal injury to self or others in the near future by owning, possessing, controlling, purchasing or receiving a firearm; identify number, types and locations of any firearms	Temporary: 10 to 30 days; Probable cause Yearlong: clear and convincing evidence required	Can surrender firearms directly to a licensed firearms dealer located in DE; dealer must issue a proof of transfer to the court	Must surrender immediately or within 24 hours of personal service; if incarcerated at time of personal service, must surrender within 24 hours of release	Class A misdemeanor to knowingly file a false petition; Court must provide form to respondent to request a termination hearing; Respondent may request one termination hearing and burden on respondent to prove by clear and convincing evidence no longer a danger; None of the court record data is subject to disclosure under FOIA;	Respondent is required to file a document within 48 hours of service, certifying either a) he/she does not own, possess or control any firearms; b) proof of transfer of firearms to LE or licensed dealer; or c) list of firearms owned or possessed that he/she is unable to access and why. If respondent fails to file one of these documents, the court shall order LE to search and seize any identified firearms.	Once an order expires or is terminated, LE or licensed dealer shall dispose of or return firearms to respondent;

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Florida	2018	LE only	Respondent poses a significant danger of causing personal injury to self or others; court can consider (history of suicide, threats of violence, attempts or actual violence; previous convictions; drug abuse; previous gun crimes; recent purchase or attempt to purchase; etc.)	LE must attempt to provide notice to family/HH members at risk; no fee required; Temporary: reasonable cause and 14 days. Yearlong: clear and convincing evidence; order lasts 12 months	Once in the possession of LE, respondent may elect to transfer firearms and ammo to another person. LE must allow such a transfer only if: 1) person is eligible to own or possess after confirmation of background check 2) attests to storing such that respondent has no access; 3) attests not to transfer back until ERPO ends	Must surrender immediately ; LE may seek a search warrant from a court to search for firearms if probable cause to believe that there are firearms or ammunition owned which have not been surrendered ; 3 rd degree felony to possess after PO;	Court must provide form to respondent to request vacating the order; respondent may request 1 time to vacate the order; petitioner can request extension up to 30 days before expiration; 3 rd degree felony to make false statement under oath at hearing on PO; crime to make a false statement under oath	Requires surrender to specific LE immediately upon service of the PO	Weapons back immediately upon expiration of order with request from respondent and a background check; court required to send notice to Petitioner at least 30 days before the order expires notifying respondent of the impending end of the ERPO; LE must provide notice to family or HH members before the return of surrender

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Illinois	2018	LE, Family or HH member If respondent is alleged to pose a danger to an intimate partner, petitioner must make a good faith effort to notify intimate partners of intent to file. LE must refer intimate partners to counseling resources	Respondent poses an immediate and present danger of causing personal injury to self or others by having control or possession of a firearm; Must identify the types and location of any firearms.	Emergency restraining order: 14 days; Probable cause 6 month restraining order: must prove by clear and convincing; Search and seizure warrant issued along with emergency or 6 month order if probable cause respondent possesses firearms	Respondent can petition court to transfer firearms to a person lawfully able to possess them if person does not reside at the same address and swears/provides affidavit that they will not transfer the firearm back to the respondent;	Must surrender firearm owner's identification card and firearms to LE; Search and seizure warrant can be issued along with restraining order	Crime of perjury to file a false petition; Respondent may request one termination hearing and burden on respondent to prove by preponderance of the evidence no longer a danger; court must provide respondent with form to request the hearing. If court denies petition, all records of proceedings are expunged. If court grants petition, all records of proceedings shall be sealed 3 years after expiration of order.	Requires surrender; Search and seizure warrant may be issued; Process for filing firearm restraining orders issued in other states; Class A misdemeanor to knowingly violate the firearms restraining order;	Firearms returned when restraining order is terminated or expires;

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Indiana	2005	LE only	A sworn affidavit describing the facts leading LE to believe an individual is dangerous and in possession of a firearm	Temporary: 14 days; Probable cause Indefinite: must prove by clear and convincing; order lasts indefinitely; Search and seizure warrant issued	Once in LE's possession, respondent may request the court to order LE to sell the firearm(s) at auction and return the proceeds to the individual	Search and seizure warrant issued	Respondent can petition the court for return of the firearm at least 180 days after the court ordered LE to retain the firearms. Individual must prove by a preponderance of the evidence that he/she is not dangerous.	File a return with the court stating when the warrant served and the quantity and identify of any firearms seized;	Only returned if prove by preponderance of evidence that no longer dangerous.

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Maryland	2018	LE, Family or HH member, and certain categories of mental and other health workers	Poses an immediate and present danger to self or others; identify number, types and locations of any firearms	Interim: reasonable grounds and hearing on first or second day on which a district court judge is sitting after issuance of interim order; Temporary: Reasonable grounds and only effective for 7 days; Judge may extend temporary not to exceed 6 months; Yearlong: must prove by clear and convincing; order lasts 12 months; can only proceed to final order hearing if respondent appears, has been served or court has personal jurisdiction over the respondent	If someone other than respondent owns the guns, LE shall return firearms to them provided they agree to prevent respondent from accessing gun	Must surrender. LE may seek a search warrant from a court to search for firearms if have probable cause to believe that there are firearms or ammunition owned which have not been surrendered ;	Interim, temporary or final order should include form advising rights (seek an attorney, grounds asserted, notice of the hearing, etc.); respondent can reschedule the hearing for no later than 30 days after initial hearing; Crime to knowingly file a false or intentionally harassing petition	Requires surrender; court can issue search warrant upon probable cause person failed to surrender or reacquired firearms;	upon expiration of order LE must notify respondent they can request return of firearms and ammo; with request from respondent and a background check;

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Massachusetts	2018	LE Family or HH member If family or HH member filing, clerk must provide them with info about: crisis intervention, mental health, substance use disorders, counseling services, and the process to apply for a temp. commitment	Poses a risk of causing bodily injury to self or others by having in the respondent's control, ownership or possession a firearm, rifle, shotgun, machine gun, weapon or ammunition. Must identify the number, types and locations of any firearms or ammo. Must identify whether there is an abuse /harassment prevention order or any pending lawsuits between the parties.	Emergency: 10 days and reasonable cause Yearlong: preponderance of the evidence Hearing is held sooner (within 2 days) if petition includes an affidavit that respondent is required to carry a firearm for employment	Respondent can sell or transfer title to a licensed dealer and upon written proof of sale or transfer, LE may transfer possession to dealer. Respondent may not take possession, though.	Immediately surrender firearms and license/ID card to carry. Municipal licensing authority shall immediately suspend their license to carry. LE must provide respondent with info about: crisis intervention, mental health, substance use disorders, counseling services, list of interpreters	Crime to knowingly file a false or intentionally harassing petition. Court may modify, suspend, or terminate its order at any time upon motion by either party (provided there is due notice of motion and hearing). Confidential portions of the court record shall not be deemed to be "public records"	Requires surrender immediately upon service of the PO. Shall issue respondent a receipt identifying all firearms surrendered and must file copy of receipt with the court within 48 hours of surrender.	Respondent requests return and municipal licensing authority confirms that respondent is suitable under federal and state law for return. LE must notify the petitioner not less than 7 days prior to expiration of ERPO and return of license to carry and firearms.

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New Jersey	2018	Any person	<p>Person poses a significant risk of personal injury to himself or others by possessing a firearm;</p> <p>Affidavit naming or describing with reasonable specificity facts to justify a firearm seizure warrant and listing any firearms to be seized may also be filed;</p>	<p>Gun violence restraining ex parte order: 14 days and probable cause</p> <p>Yearlong order: by clear and convincing evidence</p> <p>Firearm seizure warrant issued along with order if probable cause respondent possesses firearms</p>	If someone other than respondent owns the firearms, the firearms shall be returned to the lawful owner	Firearms are taken pursuant to firearm seizure warrant	<p>Respondent may submit one written request for a hearing to permit the respondent to possess firearms;</p> <p>LE must provide respondent with a form to request such a hearing when serving the order;</p>	<p>When LE take firearms pursuant to warrant officer shall give a receipt for the property taken or leave the receipt where the firearms were found;</p> <p>Firearms delivered to the county prosecutor;</p> <p>Crime to knowingly violate the gun violence restraining order;</p>	Silent as to process for returning firearms to the respondent

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Oregon	2017	LE Family or HH member	Presents a risk in the near future to self or others; factors court can consider (history of suicide, threats of violence, attempts or actual violence; previous convictions; drug abuse; previous gun crimes; recent purchase or attempt to purchase; etc.)	Clear and convincing evidence; respondent has 30 days to request a hearing to contest the <i>ex parte</i> order; if requested, the hearing must be held in 21 days; no fee required Both parties can request extension or termination of order once within 12 months; hearing required and person requesting has burden of proof	Respondent can surrender firearms directly to LE, gun dealer, or a third party who can lawfully possess; If guns owned by someone else, LE must give guns to that person, but requires person to prevent respondent from gaining access	order states respondent has 24 hours from service of order to relinquish guns and amo to LE (or sell/transfer to licensed dealer). Continuing to possess is a Class A misdemeanor.	Crime to knowingly file a false or intentionally harassing petition	The order states place to surrender guns/ammunition; if owned by someone else, LE must give guns to the owner who is required to prevent the person from gaining access	Must be returned upon expiration of order upon request and after background check

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Rhode Island	2018	LE only Sworn affidavit for a search warrant is concurrently filed by LE for the search of any firearms in the possession, custody, or control of the respondent	Petition must allege the respondent poses a significant danger of causing imminent personal injury to self or others by having in their custody or control, or by purchasing, possessing, or receiving a firearm. The petition must state the facts supporting the allegation and any firearms believed to be in respondent's possession. At the time of filing, must identify all known restraining orders, orders of protection, and pending lawsuits involving the respondent.	Temporary: 14 days and probable cause Yearlong: clear and convincing evidence required During the hearing, court may consider whether a mental health evaluation or substance abuse evaluation is appropriate and may recommend respondent seek one;	LE can transfer firearms to a federally licensed dealer upon written request by respondent. Dealer can sell or transfer firearms, upon request to a qualified individual who is not a member of the person's dwelling house or prohibited from possessing firearms. Felony for that person to transfer or return firearm to respondent.	A concurrently authorized search warrant may be issued by the court; order states if any firearms have not already been seized by LE, must immediately contact LE to arrange for the surrender of any other firearms in custody or control	Felony to knowingly file a false or intentionally harassing petition; Court must provide form to respondent to request a termination hearing; Respondent may request one termination hearing and burden on respondent to prove by clear and convincing evidence no longer a danger;	With temporary order and probable cause, court can issue search warrant for firearms;	Respondent requests return by showing court document of expiration or termination. LE must conduct a national criminal records check before returning firearms. Court must schedule a review hearing 30 days before yearlong order expires; Petitioner required to send notice of impending expiration to family or HH members within 14 days of expiration of the ERPO;

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Vermont	2018	State's Attorney or Office of the Attorney General only	affidavit must allege the respondent poses an imminent and extreme risk of causing harm to himself or herself or another person by purchasing, possessing, or receiving a dangerous weapon. The affidavit must state the facts supporting the allegation and any dangerous weapon believed to be in respondent's possession.	Temporary: Preponderance of the evidence; Hearing on final order held within 14 days of issuance of ex parte order; 6 month Final Order: clear and convincing evidence; state must petition for extensions 14-30 days before each 6 month period expires. Respondent may also petition for return of firearms once during each ERPO period and state must prove that the respondent still represents an extreme risk;	Can surrender firearms directly to a licensed firearms dealer or a third party; third party must execute an affidavit they are subject to civil contempt if allow respondent to have access	Statute silent as to searching for firearms; Statute says that the respondent shall "immediately relinquish the dangerous weapon." to LE.	Crime to knowingly file a false or intentionally harassing petition; Respondent may also petition for return of firearms once during each ERPO period and state must prove that the respondent still represents an extreme risk; State carries the burden of proof at all stages.	Violation of the order can result in imprisonment of up to one year and fine of up to \$1,000.	Each ERPO issued by the court shall direct the agency or person "in possession of a firearm... to release it to the owner upon expiration of the order." if failed to be retrieved within 90 days of court order releasing it, firearms can be sold;

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Washington	2016	LE, Family or HH member	Identify number, types and locations of any firearms	Temporary: Ex parte order lasts 14 days; reasonable cause Yearlong: Preponderance of the evidence	If someone other than respondent owns the guns, LE shall return firearms to them provided they agree to prevent respondent from accessing gun	Surrender within 48 hours; LE may seek a search warrant from a court to search for firearms if probable cause to believe that there are firearms or ammunition owned which have not been surrendered	crime to knowingly file a false or intentionally harassing petition		Requires a background check before returning and confirmation from the court the ERPO has terminated or expired without renewal; must provide notice to family or HH member if requested;